



**SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS**

POLICY NUMBER: SK-22.03
TITLE: EXECUTION DIRECTIVES
ISSUE DATE: January 5, 1999
SUPERSEDES: SK-22.03 (September 16, 1998)
SK-22.03 (November 1, 1997)
**SUPPORTING
OPERATIONAL MANUAL:** OPERATIONS

AUTHORITY: DEPUTY DIRECTOR FOR OPERATIONS

ACA/CAC STANDARDS: NONE

STATE/FEDERAL STATUTES: Sections 24-3-510; 24-3-520; 24-3-530; 24-3-540;
24-3-550; 24-3-560; and 24-3-570, S. C. Code of Laws, 1976

PURPOSE: To provide general guidelines for the development of procedures to be followed prior to, during, and subsequent to an execution from which more detailed and specific procedures can be developed.

POLICY: As required by Section 24-3-510, et.seq., South Carolina Code of Laws, 1976, the South Carolina Department of Corrections will conduct in a responsible, secure, and humane manner, the execution of inmates condemned to death. The South Carolina Department of Corrections will ensure the safety and security of the public and will have the absolute responsibility of providing for the security of those individuals awaiting execution.

POLICY DIRECTIVES:

1. Pursuant to the requirements of Section 24-3-510, et.seq., South Carolina Code of Laws, 1976, officials of the South Carolina Department of Corrections will carry out the responsible and humane execution of inmates sentenced to death.
2. Unless noted otherwise throughout this policy, the Agency Director will designate the Deputy Director for Operations to be responsible for developing the detailed procedures to be followed prior to, during, and subsequent to an execution, and for designating in writing those officials responsible for implementing these procedures (see SCDC Procedure SK-22.03(OP)). The Deputy Director for Operations will be responsible for the direct supervision of the execution process.
3. **ELECTION OF EXECUTION METHOD:** Effective June 8, 1995, Section 24-3-530, South Carolina Code of Laws, 1976, was revised to allow those persons sentenced to death to elect that death be by electrocution or by lethal injection, as follows:

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- a. Those individuals sentenced to death on or after June 8, 1995, are required to make their election in writing no later than 14 days before the execution date or it is waived. If the person waives the right of election, then death will be administered by lethal injection.
 - b. Those individuals sentenced to death prior to June 8, 1995, must be administered death by electrocution unless they elect death by lethal injection in writing no later than 14 days before their scheduled execution date.
4. If the method of death elected is lethal injection, the South Carolina Department of Corrections will comply with all state and federal requirements and statutes regarding the registration, dispensing, distribution, transportation, administration, and disposal of all controlled substances used to carry out the execution.
5. The South Carolina Department of Corrections will carry out all death sentences no sooner than the fourth Friday immediately following the receipt of the Order from the Clerk of Court of the South Carolina Supreme Court at a time to be determined by the Agency Director.
6. **CLASSIFICATION AND HOUSING OF INMATES SENTENCED TO DEATH:**
 - a. All inmates sentenced to death will be transferred to the custody of the South Carolina Department of Corrections and will be placed in "Death Row" status pursuant to the provisions of Section 24-3-510, South Carolina Code of Laws, 1976. Male inmates placed in "Death Row" status will initially be housed at the Lieber Correctional Institution (LCI). Females inmates sentenced to death will initially be housed at the Women's Correctional Institution (WoCI).
 - b. Upon receipt of the Order from the Clerk of Court of the South Carolina Supreme Court that authorizes and sets the date of the execution, inmates housed in Death Row status will be considered to be on "Execution Status" and will be placed in Special Management housing. (**NOTE:** Copies of the Execution Order will immediately be forwarded to the Warden, Broad River Correctional Institution (BRCI) and the General Counsel.) Inmates placed on Execution Status will remain housed at LCI (in the case of females, at the WoCI). The exact date and time of transfer to the Capital Punishment Facility at the Broad River Correctional Institution will be coordinated between the Wardens of BRCI and LCI and approved by the Deputy Director for Operations. This information will be kept confidential for security reasons.
 - c. The South Carolina Department of Corrections will have the responsibility of providing for the security of those individuals awaiting execution while they are housed at either the LCI, WoCI, or the CPF.
7. **SELECTION OF WITNESSES TO THE EXECUTION:** The selection of witnesses to the execution will be conducted pursuant to the provisions of existing and current state statute(s), and the following:

- a. The approval of all witnesses will be coordinated in advance through the Director, Office of Executive Affairs, in consultation with the Agency Director.
 - b. All selected witnesses will be required to abide by the security requirements imposed by the South Carolina Department of Corrections.
8. **SELECTION OF EXECUTIONERS:** Designated executioners will be selected from employee volunteers by the Deputy Director for Operations and will be approved by the Agency Director. Under **no** circumstances will **any** employee of the South Carolina Department of Corrections having any relationship or association to either the victim, victim's family, or to the condemned inmate be selected as an executioner. Every effort will be made by officials of the South Carolina Department of Corrections to protect the anonymity and confidentiality of executioners.
9. **VISITING PRIVILEGES FOR CONDEMNED INMATES:** The South Carolina Department of Corrections will provide inmates housed in Execution Status with the opportunity to receive visits as specified in SCDC Procedure SK-22.03(OP), "Execution Directives." Visitation privileges may be further limited and modified to protect the security of the institution and the safety of the inmate, visitors, and the public.
10. **PUBLIC AND NEWS MEDIA RELATIONS:** As directed by the Agency Director, the Director, Office of Executive Affairs will be responsible for the following:
 - a. coordinating all press briefings;
 - b. approval of the release of any information to any media representative, either directly or indirectly related to the execution, to include any information released concerning the condemned inmate; and
 - c. development, coordination, and implementation of all procedures concerning news media relations prior to, during, and following the execution of the condemned inmate.
11. **EXECUTIVE CLEMENCY:** Pursuant to state statute, the Governor may commute an inmate's sentence at any time prior to the execution. The Agency will ensure that all pertinent information needed by the Governor concerning the inmate is forwarded in a timely manner and will ensure that open lines of communication are made available to relay last minute clemency information.
12. **POST EXECUTION AND DISPOSITION OF BODY:** The South Carolina Department of Corrections will be responsible for ensuring that all state statutes are complied with concerning the official certification of the execution and the disposition of the deceased inmate's body.
13. **EXPENSES:** Pursuant to state statute, the following provisions will apply concerning the payment of expenses:

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- a. the South Carolina Department of Corrections will pay the costs associated with executing the death penalty (whether by electrocution or by lethal injection);
 - b. the county in which the inmate was sentenced will bear all the costs associated with transporting the inmate to the Department of Corrections.
14. Specific execution procedures related to this policy will be developed and approved by the Deputy Director for Operations and the Agency Director and maintained in a secured file at the BRCI for immediate implementation upon receipt of the Order from the Clerk of Court of the scheduled execution. The Agency Director will approve the distribution of these procedures to other SCDC officials as deemed necessary.
15. Within statutory limitations, the Agency Director or his/her approved designee(s) reserves the right to modify these and any other Agency directives and procedures at any time to enhance the security and safety of the Agency, public, staff, and inmates. This includes, but is not limited to, terminating inmate visitation privileges on the date of executions, adjusting employee work hours on the date of executions, etc. In addition, the Warden, BRCI, is granted the authority to make necessary internal operational and scheduling changes with the concurrence of the Deputy Director for Operations to facilitate the safety and security of that particular institution on the date of a scheduled execution.

S/ 
William D. Catoe



**SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS**

OPERATIONS

OPERATIONS MANUAL

<u>PROCEDURE NUMBER:</u>	SK-22.03(OP)
<u>PROCEDURE TITLE:</u>	EXECUTION PROCEDURES
<u>ISSUE DATE:</u>	January 5, 1999
<u>RELEVANT SCDC POLICY:</u>	SK-22.03
<u>SUPERSEDES:</u>	SK-22.03(OP) (September 16, 1998) SK-22.03(OP) (November 1, 1997)
<u>RESPONSIBLE AUTHORITY:</u>	Deputy Director for Operations
<u>RELATED SCDC FORMS:</u>	NONE

SPECIFIC PROCEDURES:

1. RECEIPT OF EXECUTION ORDER:

- a. Upon the receipt of the order from the Clerk of Court of the execution, the Warden or designee, Lieber Correctional Institution (LCI), or if a female inmate, the Warden or designee, Women's Correctional Institution (WoCI), will read to the condemned inmate the Execution Order, or allow the condemned inmate to read it himself/herself. The inmate may contact his/her attorney if s/he deems it necessary. The inmate will acknowledge receipt of the Order of Execution by signing four (4) copies of the Affidavit of Service. S/he will be acknowledging that s/he has read or has had the Order of Execution read and s/he understands it. The inmate will retain one (1) copy, one (1) copy will be forwarded to the Office of General Counsel, one (1) copy will be retained at the institution, and one (1) certified copy will be remitted to the Clerk of Court of the South Carolina Supreme Court. The Warden will also discuss with the inmate his/her desired funeral arrangements and disposition of personal funds and property.
- b. After the Execution Order has been served, the inmate will be considered to be on "Execution Status" and will be placed in 24-hour Special Management housing. Males inmates placed on Execution Status will be housed in the U-1 Unit at Lieber Correctional Institution (LCI), and female inmates will be housed at the Women's Correctional Institution (WoCI).

- 2. TIME OF EXECUTION:** The South Carolina Department of Corrections will carry out all death sentences on the fourth Friday immediately following the receipt of the Order from the Clerk of Court of the South Carolina Supreme Court at a time to be determined by the Agency Director.

- 3. ELECTION OF EXECUTION METHOD:** No later than 14 days prior to the execution, the Warden, LCI (or if a female, the Warden, WoCI), will meet with the inmate at which time the inmate will choose the method of execution. The inmate will then sign an Affidavit/Choice of Execution Method.

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- a. If the inmate declines to choose and was sentenced prior to June 8, 1995, the method of execution will be by electrocution.
- b. If the inmate declines to choose and was sentenced on or after June 8, 1995, the method of execution will be by lethal injection.

The inmate's decision is irrevocable. If the inmate refuses to sign the Affidavit/Choice of Execution Method, an officially notarized affidavit will be prepared for the Warden's signature and two (2) other officials as witnesses. The copy of the affidavit will be attached to the Affidavit/Choice of Execution Method. A copy of the Affidavit will also immediately be provided by the Warden, LCI, to the Deputy Director for Operations and to the Warden, Broad River Correctional Institution (BRCI).

4. **MOVEMENT OF INMATE TO THE CAPITAL PUNISHMENT FACILITY (CPF):**

- a. The exact date and time of the inmate's transfer to the CPF will be coordinated by the Warden (BRCI) and the Warden, LCI, and will be approved by the Deputy Director for Operations. This information will be kept confidential for security reasons.
- b. Prior to the inmate being moved to the CPF, his/her personal property will be inventoried, recorded, and secured in the Lieber or Women's Correctional Institution Property Control Room for disposition in accordance with the inmate's written instructions. A packet containing the original copies of all documents executed by the inmate since receipt of the Execution Order, i.e., funeral arrangement documents, property disposition forms, etc., will be hand-carried to the Warden, BRCI. The inmate will be taken to the BRCI Identification Section by a BRCI Associate Warden or Captain and at least two (2) assistants, one (1) of which will be of the same sex as the inmate. At that time, the inmate will be photographed and fingerprinted, and a positive identification will be made. The inmate will then receive a physical examination and a body cavity search will be conducted by medical personnel. The inmate will be briefed by the Warden on procedures while in the CPF. Legal counsel may be present during these proceedings if requested by the inmate. An attorney from the SCDC Office of General Counsel will read the execution order to the inmate after arrival at the CPF prior to the execution.

5. **SECURITY OF CPF:** The South Carolina Department of Corrections has the absolute responsibility to provide security for those individuals awaiting execution. There will at all times be at least four (4) Correctional Officers and one (1) supervisory level staff member in the CPF when it is occupied prior to an execution. There will always be at least two (2) female staff members on duty when a female is housed at the CPF.

6. **VISITING PRIVILEGES:**

- a. Upon placement of the inmate on Execution Status at Lieber Correctional Institution or the Women's Correctional Institution, the following individuals will be authorized to participate in visits with the condemned inmate while s/he is housed at Lieber Correctional or the Women's Correctional Institution, provided

that each visitor provides advanced notice and is approved by the Deputy Director for Operations or designee.

- (1) immediate family members as outlined in SCDC Procedure OP-22.09(OP), "Inmate Visitation," will be permitted non-contact visits. However, family members may be authorized one (1) contact visit while the inmate is on Execution Status with the approval of the Warden or designee.
- (2) clergy (no more than two [2]) may visit the inmate. The Institutional Chaplain will be responsible for coordinating with members of the clergy who wish to visit with the condemned inmate, and providing the name(s) of the clergy to the Warden or designee and to the Chief of the Pastoral Services Branch. The Chief of the Pastoral Services Branch and the Warden or designee will approve/disapprove clergy visits. These visits may be contact visits with the approval of the Warden or designee.
- (3) attorneys (no more than [2] attorneys of record in any court [or a combination of (1) attorney and (1) authorized paralegal]) may visit the inmate. Attorney visits may be contact visits with the approval of the Warden or designee. Paralegals visits will be non-contact visits. Verification that the attorney who is requesting a visit is the condemned inmate's attorney will be provided by the SCDC General Counsel's office.

b. **Visitation at the Broad River Correctional Institution Capital Punishment Facility (CPF):**

- (1) There will be no family visitation at the CPF of the BRCI if the inmate is transported on the day of the execution. Family visitation will be allowed at the CPF if the inmate is transported prior to the day of the execution. This visit will be non-contact and will be limited to no more than two (2) persons at a time.
- (2) Attorneys and clergy members will be allowed to visit the condemned inmate at the CPF, but the total number of visitors will be limited to no more than two (2) persons at a time. These visits may be contact visits with the approval of the Warden or designee. Verification that the attorney who is requesting a visit is the condemned inmate's attorney will be provided by the SCDC General Counsel's office. The BRCI Chaplain will be responsible for coordinating with members of the clergy who wish to visit with the condemned inmate, and providing the name(s) of the clergy to the BRCI Warden or designee and to the Chief of the Pastoral Services Branch. The Chief of the Pastoral Services Branch and the BRCI Warden or designee will approve/disapprove clergy visits.

- c. Visitors will be advised of the parameters of visits to include location, hours, duration of visit, contact or non-contact status, and related security procedures. All persons who enter Death Row and the Capital Punishment Facility will be subject to frisk searches.

7. **SELECTION OF WITNESSES:**

- a. Witnesses to the execution will consist of no more than eight (8) respectable citizens of the State of South Carolina, to include:
 - (1) up to three (3) witnesses designated by the family of the victim; (**NOTE:** If there is more than one [1] victim, the Agency Director may reduce the number of family representatives to one [1] representative for each victim's family; provided, further, that if there are more than two [2] victims, the Agency Director may restrict the total number of victims' representatives in accordance with the space limitations of the CPF.)
 - (2) up to three (3) media representatives (see Procedure 10. c.);
 - (3) the Solicitor, or an Assistant Solicitor designated by the Solicitor, of the county where the offense occurred; and
 - (4) the chief law enforcement officer, or an officer designated by the chief, from the law enforcement agency that had original jurisdiction in the case.
- b. All witnesses will be approved in writing in advance by the Director, Office of Executive Affairs, in consultation with the Agency Director. The only exception to this directive will be in the case of media representatives. The selection of media representatives to serve as official witnesses to any execution will be coordinated through the Director, Office of Executive Affairs, in consultation with the Agency Director (see Procedure 10. c.).
- c. In addition, the Agency Director will be responsible for appointing an official, non-SCDC observer to witness all pertinent activities associated with the execution. The observer's duties will commence with the transfer of the inmate to the CPF and will end after the transfer of the executed inmate from the CPF to the hearse.
- d. All selected witnesses will be required to abide by the security requirements imposed by the South Carolina Department of Corrections. Failure to comply with these directives will result in immediate removal as a witness.
- e. Under no circumstances will any audio recorders, cameras, telephonic equipment or other recording devices be allowed inside the CPF during the execution.
- f. Orientation will be conducted by the Director, Office of Executive Affairs or designee for witnesses as to their duties and responsibilities.

8. **SELECTION OF EXECUTIONERS:** Designated executioners will be selected from employee volunteers of the South Carolina Department of Corrections, under the following guidelines:

- a. Executioners will be selected by the Deputy Director for Operations and will be approved by the Agency Director.

- b. Under no circumstances will any employee of the South Carolina Department of Corrections having any relationship or association to either the victim, victim's family, or to the condemned inmate be selected as an executioner.
- c. The identity of all executioners will be kept strictly confidential. Every effort will be made by officials of the South Carolina Department of Corrections to protect the anonymity of executioners.

9. **NOTIFICATION AND ADVISEMENT OF LAW ENFORCEMENT AGENCIES:**
An Assistant to the Deputy Director for Operations will serve in the capacity of Law Enforcement Coordinator and will also be responsible for notifying appropriate SCDC personnel. In addition, an Assistant to the Deputy Director for Operations will be responsible for coordinating and making arrangements for the safe and secure assembly of protesters and supporters of the execution on or near the front grounds of the Broad River Complex.

10. **PUBLIC AND NEWS MEDIA RELATIONS:** As directed by the Agency Director, the Director, Office of Executive Affairs will be responsible for all news media contact, to include the following:

- a. No news media interviews will be permitted with the condemned inmate or any other inmates as prescribed by current SCDC Procedure, GA-02.01(OP), "Inmate and Employee Relations with News Media and Others."

b. **Press Briefings:**

- (1) The Director, Office of Executive Affairs, will conduct a final press briefing immediately following the execution.
- (2) Any news media representatives desiring to be admitted to the Broad River Complex grounds on the day of the scheduled execution will be escorted by the Director, Office of Executive Affairs, or designee. The press will not interfere with on-duty SCDC employees. Media representatives will not be allowed to interview the Warden or other employees of BRCI, LCI, or WoCI.
- (3) The Director, Office of Executive Affairs, will arrange for background briefings to be completed prior to receipt and service of a death warrant.

c. **News Media Witnesses:**

- (1) The South Carolina Press Association and the Radio-Television News Directors' Association of the Carolinas will each select one (1) media representative to act as an official witness to the execution and one (1) alternate witness to be available in case the official witness is unable to attend the execution. The dominant wire service will appoint one (1) representative and (1) alternate. These choices will be made at least two (2) weeks prior to the execution and submitted to the Director, Office of Executive Affairs.

- (a) The media representatives selected as witnesses must be "respectable citizens" of the State of South Carolina and must perform all duties required of official execution witnesses. They will be escorted to and from the Execution Chamber Witness Area as provided for in this procedure.
- (b) Because of the high level of security that must be maintained during an execution, the Director, Office of Executive Affairs, must (in consultation with the Agency Director) approve the media witnesses chosen. Also, if the South Carolina Press Association and the Radio-Television News Directors' Association of the Carolinas and the dominant wire service fail to make their choices, or if the official witness and alternate chosen by one (1) or more of the organizations are not present, the Director, Office of Executive Affairs, will (in consultation with the Agency Director) choose a witness from the news media representatives available on site at the time immediately prior to the execution.
- (2) All witnesses will be searched by a Correctional Officer prior to entering the CPF, as no cameras or electronic recording devices will be allowed in the witness area. Only a writing pad and writing and drawing (sketching) implements will be permitted in the Execution Chamber Witness Area of the CPF.
- (3) All witnesses must sign the Execution Certificate in the witness waiting area in the CPF immediately after being excused from the witness chamber. The Director, Office of Executive Affairs will be responsible for transporting media witnesses from the CPF to a designated area on the grounds of the Broad River Complex.
- (4) The SCDC General Counsel will ensure that necessary witness documents are available and properly completed in the CPF.

11. **VISITATION BY CHAPLAINS AND MEMBERS OF THE CLERGY:**

- a. The Department of Corrections is aware of its responsibility to provide for the spiritual welfare of inmates awaiting execution. Thus, it will be the responsibility of the Senior or Assistant Chaplain to make periodic visits to inmates awaiting execution, remain available, and assist in sustaining these inmates' spiritual welfare as may be necessary or desired.
- b. Upon arrival of the inmate at the CPF, the Senior Institutional Chaplain will immediately notify a member of the condemned inmate's immediate family and the inmate's minister. The Chaplain, if desired by the inmate, may be present when the inmate is moved to the CPF.
- c. The Senior Chaplain or designee, if so desired by the condemned inmate, may be present when the inmate is being prepared for execution. The Chaplain may also accompany the inmate to the Execution Chamber.

- d. Clergy will be allowed, if preferred by the inmate and approved in writing by the Warden, BRCI, to spend as much time with the inmate as security requirements will allow. One (1) clergy member may be present at the execution.
 - e. Religious Rites may be administered prior to the execution if the inmate so desires. Such Rites may be administered by the Institutional Chaplain or the Clergy. The sacraments needed to administer communion will be provided by the institution.
12. **EXECUTIVE CLEMENCY:** In order that the Governor may be apprised of the execution status of inmates remitted to the custody of the South Carolina Department of Corrections, at least ten (10) days prior to the date scheduled for an inmate's execution, a copy of that inmate's record, commitment paper, Federal Bureau of Investigation record, and other relevant documents will be hand-carried by the Director, Office of Executive Affairs, to the Governor's office for information, review, and consideration. The Governor may commute the inmate's sentence at any time prior to the execution. The Deputy Director for Operations will ensure that, at all times, the fastest possible telephonic communication is available to relay last-minute clemency to the Warden, BRCI. Upon notification of executive clemency, the Warden will immediately advise the inmate.
13. **TRAINING AND PREPARATION FOR EXECUTION:** It will be the responsibility of the Warden, BRCI, to train and prepare all individuals who are to participate in the actual carrying out of the death sentence. Practice sessions will be scheduled as needed. The number of these sessions will be prescribed by the Warden. Training sessions are not open to the news media or to any other person(s) not involved in carrying out the execution.
14. **CARRYING OUT OF EXECUTION:**
- a. The hour the actual execution is to be carried out will be determined by the Agency Director.
 - b. If there is potential for disruptions during the execution process by any witness or participant, the Warden may deny access to the individual(s). Should a disruption occur during the procedures, the responsible individual(s) may be removed.
 - c. The following individuals will be present in the CPF when the execution is carried out:

Physician	one (1)
Executioners	three (3) (if by electrocution) two (2) (if by lethal injection)
EMT or Physician's Assistant	two (2) (if by lethal injection)
Electricians	two (2) (one [1] of whom is an alternate) if execution is by electrocution
Warden	one (1)

Assistants to Warden	at least five (5) at the discretion of the Warden
Chaplain	one (1) (in the Execution Chamber if requested by the condemned inmate)
*Attorney	one (1) (in the witness area if requested by the condemned inmate)
Witnesses	eight (8) (as described in Procedure 7., above)
Official Non-SCDC Observer Appointed by the Agency Director)	one (1)

*This attorney must be an Attorney of Record or Legal Counsel approved by the Warden and requested by the inmate or Attorney of Record.

The above individuals will arrive at the CPF at a time prescribed by the Warden.

- d. All official witnesses, including news media representatives, will be escorted by the Director, Office of Executive Affairs to the CPF at least 15 minutes prior to the time of the scheduled execution.
- e. The actual execution will be carried out as prescribed by specific procedures developed to supplement these procedures and included as Attachment #1. The procedures outlined in Attachment #1 will be approved by the Deputy Director for Operations and by the Agency Director prior to being authorized for implementation. The Agency Director or an approved designee will be responsible for determining the SCDC officials who will be provided copies of the same.
- f. If the method of death elected is lethal injection, the South Carolina Department of Corrections will comply with all state and federal requirements and statutes regarding the registration, dispensing, distribution, transportation, and administration of all controlled substances and equipment.

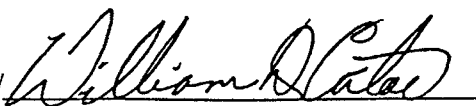
15. **POST EXECUTION:**

- a. A Certificate of Execution will be prepared by the General Counsel to be signed by the executioner and by the attending physician immediately following the execution. The completed Certificate of Execution will be forwarded via certified mail (return receipt) by the General Counsel to the Clerk of Court of the county from which the condemned inmate was sentenced and to the Clerk of the South Carolina Supreme Court.
- b. A Witness Certificate of Execution will be prepared by the General Counsel to be signed by all witnesses immediately following the execution. The completed certificate will be forwarded in the same manner as the Certificate of Execution described in #15.a., above.

- c. All controlled substances used to carry out the execution by lethal injection will be disposed of according to applicable state and federal regulations regarding controlled substances and equipment.

16. **DISPOSITION OF BODY:**

- a. Autopsy - In compliance with Agency policy and state law, an autopsy will be performed on the deceased inmate. Necessary arrangements will be made in advance by the Deputy Director for Health Services.
 - b. The Branch Chief, Pastoral Care Services, will contract with a local funeral home to (1) have the deceased inmate's body transported to a location designated by the Pathologist who is scheduled to perform the autopsy, and (2) ensure that the body is properly disposed of as prescribed by policy.
 - c. Upon completion of the autopsy, the deceased inmate's body may be released to a nearest relative as provided by state statute regarding Descent and Distribution. If the nearest relative refuses to claim the body, and if no other claim is made by relatives to the fifth degree of kinship, the body will be disposed of as are bodies of inmates who may die while in the custody of the South Carolina Department of Corrections. If the nearest relative desires that the body be transported to such person's former address in South Carolina, transportation expenses will be borne by the South Carolina Department of Corrections and a warrant will be drawn on the county treasurer from which the deceased was sentenced. The treasurer will then remit these expenses to the Department of Corrections and charge expense/cost to court expenses. If the body is transported outside the State of South Carolina, the cost will be at the relative's expense.
17. The Warden of the BRCI will ensure that stress-trauma debriefing and counseling is available for Execution Team members following the execution.
18. Within 30 days following the execution, the Warden, BRCI, will prepare and submit through appropriate channels to the Human Affairs Commission representative an after-action report of the execution.
19. Within statutory limitations, the Agency Director or his/her approved designee(s) reserves the right to modify these and any other Agency directives and procedures at any time to enhance the security and safety of the Agency, public, staff, and inmates. This includes, but is not limited to, terminating inmate visitation privileges on the date of an execution, adjusting employee work hours on the date of executions, etc. In addition, the Warden, BRCI, is granted the authority to make necessary internal operational and scheduling changes with the concurrence of the Deputy Director for Operations to facilitate the safety and security of that particular institution on the date of a scheduled execution.

S/ 
William D. Catoe

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
EXECUTION SCHEDULE**

ATTACHMENT #1

EXECUTION DAY		
ELECTROCUTION	LETHAL INJECTION	BOTH METHODS MUST PROCESS
<p><u>At Least :10 Prior to Execution</u></p> <ol style="list-style-type: none"> 1. The Warden and at least three assistants will escort the inmate to Execution Chamber. 2. Execution Team members will place the inmate in the chair. 3. An Execution Team Member will apply conducting gel to the calf of the inmate's right leg and the crown of the inmate's head. 4. The Execution Team members will secure back arm straps, the forearm straps, and ankle straps. 5. When the inmate is secured, Execution Team will remove restraint apparatus, secure lap and chest straps. 6. Copper anklet and electrodes will be attached to the right leg by the Electrician. 7. The Electrician will place the copper headpiece and sponge on the condemned inmate's head and secure it. 8. Electrodes will be attached to the headpiece by the Electrician. 9. Witness Room Curtain will be opened. 10. The Electrician will place head restraint and hood over the inmate's head. 11. The Electrician will move to the equipment room and engage the circuit breaker. 	<p><u>At Least: 10 Prior to Execution</u></p> <ol style="list-style-type: none"> 1. The Execution Team will enter the inmate's cell and the inmate will be restrained. 2. Inmate is escorted to the Execution Chamber and restrained to the table. 3. Once the EMT/PA's have completed the IV and heart monitor setup and returned to the Executioner's Room, the Execution Team members will move to the rear of the back curtain and will remain on standby. The Warden will order the Witness Room window curtain to be opened by a designated team member. 	<p><u>At Least :15 Prior to Execution</u></p> <ol style="list-style-type: none"> 1. Witness Room curtain remains closed. 2. Witnesses enter the Witness Room.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS EXECUTION SCHEDULE

ATTACHMENT #1

EXECUTION DAY		
ELECTROCUTION	LETHAL INJECTION	BOTH METHODS MUST PROCESS
<ol style="list-style-type: none"> 1. Sponges and ammonia chloride solution will be prepared at direction of the Warden. 		<ol style="list-style-type: none"> 1. Phones will be checked. 2. Training drill for all personnel involved will be held if directed by the Warden. 3. Last meal will be ordered and will be served. 4. The inmate will be allowed a shower/change of clothes.
	<p><u>At Least 9:00 Prior to Execution</u></p> <p>Associate Warden or other persons authorized in the Controlled Substance Disposition Procedures will transport the lethal injection chemicals directly to the CPF Medical Room.</p>	
<p><u>At Least 1:15 Prior to Execution</u></p> <ol style="list-style-type: none"> 1. An Execution Team member will supervise the shaving of the inmate's head with electric clippers and a safety razor, the shaving of the right leg of inmate from the knee to ankle, and the showering of the inmate. 2. The Electricians will report to Execution Chamber for electrical preparation. 	<p><u>At Least 1:15 Prior to Execution</u></p> <p>EMT/PA will mix lethal injection chemical according to Controlled Substance Disposition Procedures and carry chemical and supplies to the Executioner's room.</p>	<p><u>At Least 1:15 Prior to Execution</u></p> <ol style="list-style-type: none"> 1. Phone in Execution Chamber will be checked by Warden and Intercom turned on. 2. The inmate will be asked if s/he desires an injection of Valium. If the inmate requests the Valium, a 10 milligram intramuscular injection will be administered.
<p><u>At Least :45 Prior to Execution</u></p> <ol style="list-style-type: none"> 1. Execution Team will report to CPF and final check will be made of equipment and associated paraphernalia. 2. After showering, the inmate will be returned to the CPF and given clean clothes, which have the right trouser leg cut off at the knee. 	<p><u>At Least :45 Prior to Execution</u></p> <p>Execution Team will report to CPF and final check will be made of equipment and associated paraphernalia.</p>	

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
EXECUTION SCHEDULE**

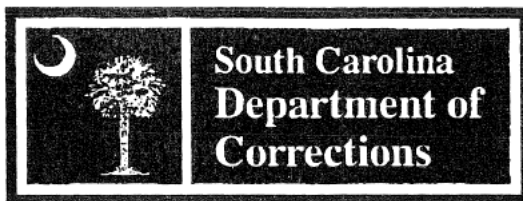
ATTACHMENT #1

EXECUTION DAY (Continued)		
ELECTROCUTION	LETHAL INJECTION	BOTH METHODS MUST PROCESS
<p><u>Time of Scheduled Execution</u></p> <ol style="list-style-type: none"> 1. Upon confirmation from the electricians that the circuit breaker has been engaged, the Warden will give the signal to the executioners to engage switches and the automatic cycle will begin. 2. Once the cycle runs its course, the Electrician will indicate the machine is off and disengage the manual circuit breaker in the equipment room. 3. Electrician will then enter the Execution Chamber, disconnect the electrodes from the inmate, and inform the Warden that it is safe for the EMT to examine the inmate. 	<p><u>Time of Scheduled Execution</u></p> <ol style="list-style-type: none"> 1. The designated Executioners will begin the rapid flow of lethal chemicals in the following order: <ol style="list-style-type: none"> a. Pentothal (Thiopental) 2 grams (GM) b. Pavulon (Pancurium Bromide) 50 milligrams (MG) c. Potassium Chloride/150 milliequivalents (MEQ) 2. The designated team member keeping time will start a stop watch once the lethal chemicals have been injected. If the heart monitor does not indicate a flat line reading within ten (10) minutes, then a second set of lethal chemicals will be administered (Pavulon and Potassium Chloride only). The timekeeper will restart the stop watch after the second set of chemicals are administered. This process will continue until the physician determines that death has occurred. The team members designated to administer chemicals will remain in place until death has been determined and the front curtain is closed. The EMT/PA will observe the heart monitor and signal the physician indicating a flat line reading. 3. 	<p><u>Time of Scheduled Execution</u></p> <ol style="list-style-type: none"> 1. If there is a final statement, the Warden will turn on the intercom and the inmate's attorney of record will read the final statement to the official witnesses. 2. The Warden will make a final check with the Deputy Director for Operations for any stays or commutations. 3. If there are no stays or commutations, the Warden signals that the execution will proceed.

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
EXECUTION SCHEDULE**

ATTACHMENT #1

EXECUTION DAY (Continued)		
ELECTROCUTION	LETHAL INJECTION	BOTH METHODS MUST PROCESS
		<ol style="list-style-type: none"> 1. The physician will determine that death has occurred and will advise the Warden. The Warden will announce the time of death. 2. The Warden will advise that the sentence of the Court has been carried out, and he will ask the witnesses to exit the chamber and sign the Execution Certificate in the Witness Waiting Room.



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RESTRICTED

NUMBER: SK-22.03

TITLE: EXECUTION PROCEDURES

ISSUE DATE: MAY 1, 2002

RESPONSIBLE AUTHORITY: INSTITUTIONAL DIVISION DIRECTOR III

OPERATIONS MANUAL: OPERATIONS

SUPERSEDES: SK-22.03 (October 24, 2000)

RELEVANT SCDC FORMS/SUPPLIES: NONE

ACA/CAC STANDARDS: NONE

STATE/FEDERAL STATUTES: Sections 24-3-510; 24-3-520; 24-3-530; 24-3-540; 24-3-550; 24-3-560; and 24-3-570, S.C. Code of Laws, 1976, as amended

PURPOSE: To provide general guidelines for the development of procedures to be followed prior to, during, and subsequent to an execution and from which more detailed and specific operational directives can be developed.

POLICY STATEMENT: As required by state law, the South Carolina Department of Corrections will conduct in a responsible, secure, and humane manner, the execution of inmates condemned to death. The South Carolina Department of Corrections will ensure the safety and security of the public and will have the absolute responsibility of providing for the security of those individuals awaiting execution.

Note: The *Institutional Division Director III* may authorize a designee to carry out any of the duties and responsibilities assigned by this policy/procedure to a specific Warden.

SPECIFIC PROCEDURES:

1. RECEIPT OF EXECUTION ORDER:

1.1 Upon the receipt of the order from the Clerk of Court of the execution, the Warden or designee, Lieber Correctional Institution (LCI) or, if a female inmate, the Warden or designee, Women's Correctional Institution (WoCI), will read to the condemned inmate the Execution Order, or allow the condemned inmate to read it himself/herself. The inmate may contact his/her attorney if s/he wishes

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to do so. The inmate will acknowledge receipt of the Order of Execution by signing four (4) copies of the Affidavit of Service. S/he will be acknowledging that s/he has read or has had the Order of Execution read and s/he understands it. If the inmate refuses to sign or is unable to sign, the warden/designee and one other witness will sign the affidavit to show that the affidavit was served to the inmate. The inmate will retain one (1) copy, one (1) copy will be forwarded to the Office of General Counsel, one (1) copy will be retained at the institution, and one (1) certified copy will be remitted to the Clerk of Court of the South Carolina Supreme Court. The Warden will also discuss with the inmate his/her desired funeral arrangements and disposition of personal funds and property.

1.2 After the Execution Order has been served, the inmate will be considered to be on "Execution Status" and will be placed in 24-hour Special Management housing. Male inmates placed on Execution Status will be housed in the U-1 Unit at Lieber Correctional Institution (LCI), and female inmates will be housed at the Women's Correctional Institution (WoCI).

2. **TIME OF EXECUTION:** The South Carolina Department of Corrections will carry out all death sentences on the fourth Friday immediately following the service of the Execution Order from the Clerk of the South Carolina Supreme Court to the inmate. The time of execution will be determined by the Agency Director.

3. **ELECTION OF EXECUTION METHOD:** No later than 14 days prior to the execution, the Warden, LCI (or, if a female, the Warden, WoCI), will meet with the inmate, at which time the inmate will choose the method of execution. The inmate will then sign an Affidavit/Choice of Execution Method.

3.1 If the inmate declines to choose and was sentenced prior to June 8, 1995, the method of execution will be by electrocution.

3.2 If the inmate declines to choose and was sentenced on or after June 8, 1995, the method of execution will be by lethal injection.

The inmate's decision is irrevocable. If the inmate refuses to sign the Affidavit/Choice of Execution Method, an officially notarized affidavit will be prepared for the Warden's signature and two (2) other officials as witnesses. The copy of the affidavit will be attached to the Affidavit/Choice of Execution Method. A copy of the Affidavit will also immediately be provided by the Warden, LCI, (or, if a female, the Warden, WoCI) to the *Institutional Division Director III*, and to the Warden, Broad River Correctional Institution (BRCI).

4. **MOVEMENT OF INMATE TO THE CAPITAL PUNISHMENT FACILITY (CPF):**

4.1 The exact date and time of the inmate's transfer to the CPF will be coordinated by the Warden, BRCI and the Warden, LCI, (or, if a female, the Warden, WoCI) and will be approved by the *Institutional Division Director III*. This information will be kept confidential for security reasons.

4.2 Prior to the inmate being moved to the CPF, his/her personal property will be inventoried, recorded, and secured in the Lieber or Women's Correctional Institution Property Control Room for disposition in accordance with the inmate's written instructions. A packet containing the original copies

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of all documents *completed/written* by the inmate since receipt of the Execution Order, i.e., funeral arrangement documents, property disposition forms, etc., will be hand-carried to the Warden, BRCI.

The inmate will be taken to the BRCI Identification Section by a BRCI Associate Warden, Major, or Captain and at least two (2) assistants, one (1) of whom will be of the same sex as the inmate. At that time, the inmate will be photographed and fingerprinted, and a positive identification will be made. The inmate will then receive a physical examination, and a body cavity search will be conducted by medical personnel. The inmate will be briefed by the Warden on procedures while in the CPF. *The inmate's* legal counsel may be present during these proceedings if requested by the inmate. An attorney from the SCDC Office of General Counsel will read the execution order to the inmate after arrival at the CPF prior to the execution.

5. SECURITY OF CPF: The South Carolina Department of Corrections has the absolute responsibility to provide security for those individuals awaiting execution. There will at all times be at least four (4) Correctional Officers and one (1) supervisory level staff member in the CPF when it is occupied prior to an execution. There will always be at least two (2) female staff members on duty when a female is housed at the CPF.

6. VISITING PRIVILEGES:

6.1 Upon placement of the inmate on Execution Status at Lieber Correctional Institution or the Women's Correctional Institution, the following individuals will be authorized to participate in visits with the condemned inmate while s/he is housed at Lieber Correctional or the Women's Correctional Institution, provided that each visitor provides advance notice and is then approved by the respective Warden or designee:

6.1.1 immediate family members as outlined in SCDC Policy/Procedure OP-22.09, "Inmate Visitation," will be permitted non-contact visits. However, prior to the execution of the inmate, the father, mother, spouse, and children may be authorized one (1) contact visit *per week* with the approval of the Warden or designee. *However, if the inmate or his/her visitor violate any law, policy/procedure, or institutional rule or regulation during any contact visit, the visit will be terminated and no additional contact visits will be authorized for the remainder of the inmate's time on Execution Status.*

6.1.2 clergy (no more than two [2]) may visit the inmate. The Institutional Chaplain will be responsible for coordinating with members of the clergy who wish to visit with the condemned inmate, and providing the name(s) of the clergy to the Warden or designee and to the Chief of the Pastoral Care Services Branch. The Chief of the Pastoral Care Services Branch and the Warden or designee will approve/disapprove clergy visits. These visits may be contact visits with the approval of the Warden or designee.

6.1.3 attorneys (no more than [2] attorneys of record in any court [or a combination of (1) attorney and (1) authorized paralegal]) may visit the inmate. Attorney visits may be contact visits with the approval of the Warden or designee. All paralegal visits will be non-contact visits. Verification that the attorney who is requesting a visit is the condemned inmate's attorney will be provided by the SCDC General Counsel's office.

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6.2 Visitation at the Broad River Correctional Institution Capital Punishment Facility (CPF):

6.2.1 There will be no family visitation at the CPF of the BRCI if the inmate is transported on the day of the execution. Family visitation will be allowed at the CPF if the inmate is transported prior to the day of the execution. This visit will be non-contact and will be limited to no more than two (2) persons at a time.

6.2.2 Attorneys and clergy members will be allowed to visit the condemned inmate at the CPF, but the total number of visitors will be limited to no more than two (2) persons at a time. These visits may be contact visits with the approval of the Warden or designee. Verification that the attorney who is requesting a visit is the condemned inmate's attorney will be provided by the SCDC General Counsel's office. The BRCI Chaplain will be responsible for coordinating with members of the clergy who wish to visit with the condemned inmate, and providing the name(s) of the clergy to the BRCI Warden or designee and to the Chief of the Pastoral Care Services Branch. The Chief of the Pastoral Care Services Branch and the BRCI Warden or designee will approve/disapprove clergy visits.

6.3 Visitors will be advised of the parameters of visits, to include location, hours, duration of visit, contact or non-contact status, and related security procedures. All persons who enter Death Row and the Capital Punishment Facility will be subject to frisk searches.

7. **LAST MEAL:** While at Lieber Correctional Institution (or Women's Correctional Institution, if female), and no later than 14 days prior to the execution date, the condemned inmate will sign a statement requesting his/her last meal. The last meal request will be forwarded to the Warden of BRCI and will be honored as long as the request is reasonable. The Warden of BRCI will designate a staff member to procure the ingredients, prepare the last meal, and ensure that the meal is served at the appropriate time.

8. SELECTION OF WITNESSES:

8.1 Witnesses to the execution will consist of no more than eight (8) respectable citizens of the State of South Carolina, to include:

8.1.1 up to three (3) witnesses designated by the family of the victim; (NOTE: If there is more than one [1] victim, the Agency Director may reduce the number of family representatives to one [1] representative for each victim's family; provided, further, that if there are more than two [2] victims, the Agency Director may restrict the total number of victims' representatives in accordance with the space limitations of the CPF.)

8.1.2 up to three (3) media representatives (see Procedures 11.3 through 11.3.6, below);

8.1.3 the Solicitor, or an Assistant Solicitor designated by the Solicitor, from the judicial circuit which includes the county where the offense occurred; and

8.1.4 the chief law enforcement officer, or an officer designated by the chief, from the law enforcement agency that had original jurisdiction in the case.

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8.1.5 the condemned person's counsel (if requested by the inmate).

8.1.6 the condemned person's religious leader (if requested by the inmate).

(Note: The inmate may substitute one person from his immediate family for either his counsel or religious leader, or two persons from his immediate family for both his counsel and religious leader. See Paragraph 16.3, below, for additional information.)

8.2 All witnesses will be approved in writing in advance by the *Inspector General*, in consultation with the Agency Director. The only exception to this directive will be in the case of media representatives. The selection of media representatives to serve as official witnesses to any execution will be coordinated through the *Director, Office of Communications and Public Affairs*, in consultation with the Agency Director (see Procedures 11.3 through 11.3.6, below).

8.3 In addition, the Agency Director will be responsible for appointing an official, non-SCDC observer to witness all pertinent activities associated with the execution. The observer's duties will commence with the transfer of the inmate to the CPF and will end after the transfer of the executed inmate from the CPF to the hearse.

8.4 All selected witnesses will be required to abide by the security requirements imposed by the South Carolina Department of Corrections. Failure to comply with these directives will result in immediate removal as a witness.

8.5 Under no circumstances will any audio recorders, cameras, telephonic equipment, or other recording devices be allowed inside the CPF during the execution.

8.6 Orientation will be conducted by the *Director, Office of Communications and Public Affairs*, in conjunction with the *Director, Division of Victim Services* or designee for witnesses as to their duties and responsibilities.

9. SELECTION OF EXECUTIONERS: Designated executioners will be selected from employee volunteers of the South Carolina Department of Corrections, under the following guidelines:

9.1 Executioners will be selected by the *Institutional Division Director III* and will be approved by the Agency Director.

9.2 Under no circumstances will any employee of the South Carolina Department of Corrections having any relationship or association to either the victim or victim's family or to the condemned inmate be selected as an executioner.

9.3 The identity of all executioners will be kept strictly confidential. Every effort will be made by officials of the South Carolina Department of Corrections to protect the anonymity of executioners.

10. NOTIFICATION AND ADVISEMENT OF LAW ENFORCEMENT AGENCIES: The *Institutional Division Director III* will serve in the capacity of Law Enforcement Coordinator and will

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also be responsible for notifying appropriate SCDC personnel. In addition, the *Institutional Division Director III* will be responsible for coordinating and making arrangements for the safe and secure assembly of protesters and supporters of the execution on or near the front grounds of the Broad River Complex.

11. PUBLIC AND NEWS MEDIA RELATIONS: As directed by the Agency Director, the *Director, Office of Communications and Public Affairs*, will be responsible for all news media contact, to include the following:

11.1 No news media interviews will be permitted with the condemned inmate or any other inmates as prescribed by current SCDC Policy/Procedure GA-02.01, "Inmate and Employee Relations with News Media and Others."

11.2 Press Briefings:

11.2.1 The *Director, Office of Communications and Public Affairs*, or designee will conduct a final press briefing immediately following the execution.

11.2.2 Any news media representatives desiring to be admitted to the Broad River Complex grounds on the day of the scheduled execution will be escorted by the *Director, Office of Communications and Public Affairs*, or designee. The press will not interfere with on-duty SCDC employees. Media representatives will not be allowed to interview the Warden or other employees of BRCI, LCI, or WoCI.

11.2.3 The *Director, Office of Communications and Public Affairs*, will arrange for background briefings to be completed prior to receipt and service of a death warrant.

11.3 News Media Witnesses:

11.3.1 The South Carolina Press Association and the Radio-Television News Directors' Association of the Carolinas will each select one (1) media representative to act as an official witness to the execution and one (1) alternate witness to be available in case the official witness is unable to attend the execution. The dominant wire service will appoint one (1) representative and one (1) alternate. These choices will be made at least two (2) weeks prior to the execution and submitted to the *Director, Office of Communications and Public Affairs*.

11.3.2 The media representatives selected as witnesses must be "respectable citizens" of the State of South Carolina and must perform all duties required of official execution witnesses. They will be escorted to and from the Execution Chamber Witness Area as provided for in this procedure.

11.3.3 Because of the high level of security that must be maintained during an execution, the *Director, Office of Communications and Public Affairs*, must (in consultation with the Agency Director) approve the media witnesses chosen. Also, if the South Carolina Press Association and the Radio-Television News Directors' Association of the Carolinas and the dominant wire service fail to make their choices, or if the official witness and alternate chosen by one (1) or

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more of the organizations are not present, the *Director, Office of Communications and Public Affairs*, will (in consultation with the Agency Director) choose a witness from the news media representatives available on site at the time immediately prior to the execution.

11.3.4 All witnesses will be searched by a Correctional Officer prior to entering the CPF, as no cameras or electronic recording devices will be allowed in the witness area. Only *media representatives will be allowed to have* a writing pad and writing and drawing (sketching) implements in the Execution Chamber Witness Area of the CPF.

11.3.5 All witnesses must sign the Execution Certificate in the witness waiting area in the CPF immediately after being excused from the witness chamber. The *Director, Office of Communications and Public Affairs*, will be responsible for transporting media witnesses from the CPF to a designated area on the grounds of the Broad River Complex.

11.3.6 The SCDC General Counsel will ensure that necessary witness documents are available and properly completed in the CPF.

12. VISITATION BY CHAPLAINS AND MEMBERS OF THE CLERGY:

12.1 The Department of Corrections is aware of its responsibility to provide for the spiritual welfare of inmates awaiting execution. Thus, it will be the responsibility of the Senior or Assistant Chaplain to make periodic visits to inmates awaiting execution, remain available, and assist in sustaining these inmates' spiritual welfare as may be necessary or desired.

12.2 Upon arrival of the inmate at the CPF, the Senior Institutional Chaplain will immediately notify a member of the condemned inmate's immediate family and the inmate's minister. The Chaplain, if desired by the inmate, may be present when the inmate is moved to the CPF.

12.3 The Senior Chaplain or designee, if so desired by the condemned inmate, may be present when the inmate is being prepared for execution. The Chaplain may also accompany the inmate to the Execution Chamber.

12.4 Clergy will be allowed, if preferred by the inmate and approved in writing by the Warden, BRCI, to spend as much time with the inmate as security requirements will allow. One (1) clergy member may be present at the execution.

12.5 Religious Rites may be administered prior to the execution if the inmate so desires. Such Rites may be administered by the Institutional Chaplain or the Clergy. The sacraments needed to administer communion will be provided by the institution.

13. **EXECUTIVE CLEMENCY:** In order that the Governor may be apprised of the execution status of inmates remitted to the custody of the South Carolina Department of Corrections, at least ten (10) days prior to the date scheduled for an inmate's execution, a copy of that inmate's record, commitment paper, Federal Bureau of Investigation record, and other relevant documents will be hand-carried by the *General Counsel* to the Governor's office for information, review, and consideration. The Governor may commute the inmate's sentence at any time prior to the execution. The *Institutional*

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Division Director III will ensure that, at all times, the fastest possible telephonic communication is available to relay last-minute clemency to the Warden, BRCI. Upon notification of executive clemency, the Warden will immediately advise the inmate.

14. TRAINING AND PREPARATION FOR EXECUTION: It will be the responsibility of the Warden, BRCI, to train and prepare all individuals who are to participate in the actual carrying out of the death sentence. Practice sessions will be scheduled as needed. The number of these sessions will be prescribed by the Warden. Training sessions are not open to the news media or to any other person(s) not involved in carrying out the execution.

15. HEALTH SERVICES RESPONSIBILITIES:

15.1 Arranging for autopsy and notifying the coroner of pending execution;

15.2 Preparing the death certificate for the medical doctor to sign;

15.3 Preparing the body removal permit;

15.4 Ensuring that the inmate's medical record is current and is prepared to accompany the body to the coroner's office;

15.5 Conducting a medical exam and body cavity search prior to the execution; and

15.6 At least seven (7) days prior to the inmate's arrival to BRCI, reviewing the medical record for possible history of drug abuse and conducting a physical examination to ascertain the condition of the inmate's veins at all potential IV sites; and advising the Warden of any abnormalities immediately and ensuring that the attending surgeon is briefed.

16. CARRYING OUT OF EXECUTION:

16.1 The hour the actual execution is to be carried out will be determined by the Agency Director.

16.2 If there is potential for disruption during the execution process by any witness or participant, the Warden may deny access to the individual(s). Should a disruption occur during the procedures, the responsible individual(s) may be removed.

16.3 The following individuals will be present in the CPF when the execution is carried out:

Physician	one (1)
Executioners	three (3) (if by electrocution), or two (2) (if by lethal injection)
EMT or Physician's Assistant	two (2) (if by lethal injection), or none (if by electrocution)

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Electricians	two (2) (one [1] of whom is an alternate) if execution is by electrocution
Warden	one (1)
Assistants to Warden	at least five (5) at the discretion of the Warden
*Religious Leader	one (1) (if requested by the condemned inmate)
*Attorney	one (1) (if requested by the condemned inmate)
Witnesses	eight (8) (as described in Procedure 8.1.1 through 8.1.6, above)
Official Non-SCDC Observer (Appointed by the Agency Director)	one (1)

*(The attorney must be an Attorney of Record or Legal Counsel approved by the Warden and requested by the inmate or Attorney of Record. However, the inmate may substitute one person from his immediate family for either his counsel or religious leader, or two persons from his immediate family for both his counsel and religious leader. For purposes of this item, 'immediate family' means those persons eighteen years of age or older who are related to the convict by blood, adoption, or marriage within the second degree of consanguinity. Questions about whether or not a proposed substitute is an immediate family member should be addressed to the Office of General Counsel.)

The above individuals will arrive at the CPF at a time prescribed by the Warden.

16.4 Every effort will be made to limit the number of individuals at the CPF consistent with security needs.

16.5 All official witnesses, including news media representatives, will be escorted by the *Director, Office of Communications and Public Affairs*, to the CPF at least 15 minutes prior to the time of the scheduled execution. *Law enforcement witnesses as well as the Solicitor or his representative will be escorted by a Warden designated by the Institutional Division Director III. The victim's family members will be escorted by a representative of the Division of Victim Services. Family members of the inmate will be escorted by a staff member who will be designated by the Institutional Division Director III.*

16.6 The actual execution will be carried out as prescribed by specific procedures developed to supplement these procedures and included as Attachment #1. The procedures outlined in Attachment #1 will be approved by the *Institutional Division Director III* and by the Agency Director prior to being authorized for implementation. The Agency Director or an approved designee will be responsible for determining the SCDC officials who will be provided copies of the same.

16.7 If the method of death elected is lethal injection, the South Carolina Department of Corrections

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will comply with all state and federal requirements and statutes regarding the registration, dispensing, distribution, transportation, and administration of all controlled substances and equipment.

17. POST EXECUTION:

17.1 A Certificate of Execution will be prepared by the General Counsel to be signed by the executioner and by the attending physician immediately following the execution. The completed Certificate of Execution will be forwarded via certified mail (return receipt) by the General Counsel to the Clerk of Court of the county from which the condemned inmate was sentenced and to the Clerk of the South Carolina Supreme Court.

17.2 A Witness Certificate of Execution will be prepared by the General Counsel to be signed by all witnesses immediately following the execution. The completed certificate will be forwarded in the same manner as the Certificate of Execution described in Paragraph 17.1, above.

17.3 All controlled substances and bio-hazardous materials used to carry out the execution by lethal injection will be disposed of according to applicable state and federal regulations regarding controlled substances and equipment.

18. DISPOSITION OF BODY:

18.1 Autopsy - In compliance with Agency policy and state law, an autopsy will be performed on the deceased inmate. Necessary arrangements will be made in advance by the Director for Health Services.

18.2 The Chief, Pastoral Care Services Branch, will contract with a local funeral home to (1) have the deceased inmate's body transported to a location designated by the Pathologist who is scheduled to perform the autopsy, and (2) ensure that the body is properly disposed of as prescribed by policy.

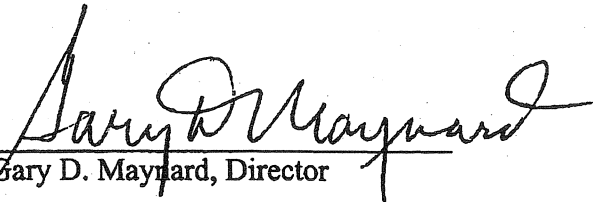
18.3 Upon completion of the autopsy, the deceased inmate's body may be released to a nearest relative as provided by state statute regarding Descent and Distribution. If the nearest relative refuses to claim the body, and if no other claim is made by relatives to the fifth degree of kinship, the body will be disposed of as are bodies of inmates who may die while in the custody of the South Carolina Department of Corrections. If the nearest relative desires that the body be transported to such person's former address in South Carolina, transportation expenses will be borne by the South Carolina Department of Corrections and a warrant will be drawn on the county Treasurer from which the deceased was sentenced. The Treasurer will then remit these expenses to the Department of Corrections and charge expense/cost to court expenses. If the body is transported outside the State of South Carolina, the cost will be at the relative's expense.

19. The Warden of the BRCI will ensure that Execution Team members *participate in* stress-trauma debriefing and counseling following the execution.

20. Within 30 days following the execution, the Warden, BRCI, will prepare and submit through appropriate channels to the Human Affairs Commission representative an after-action report of the execution.

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21. Within statutory limitations, the Agency Director or his/her approved designee(s) reserves the right to modify these and any other Agency directives and procedures at any time to enhance the security and safety of the Agency, public, staff, and inmates. This includes, but is not limited to, terminating inmate visitation privileges on the date of an execution, adjusting employee work hours on the date of executions, etc. In addition, the Warden, BRCI, is granted the authority to make necessary internal operational and scheduling changes with the concurrence of the *Institutional Division Director III* to facilitate the safety and security of that particular institution on the date of a scheduled execution.

S/ 
Gary D. Maynard, Director

Distribution (21 Copies):

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**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
 EXECUTION SCHEDULE**

ATTACHMENT #1

EXECUTION DAY		
ELECTROCUTION	LETHAL INJECTION	BOTH METHODS MUST PROCESS
1. Sponges and ammonia chloride solution will be prepared at direction of the Warden.		1. Phones will be checked. 2. Training drill for all personnel involved will be held if directed by the Warden. 3. Last meal will be ordered and will be served. 4. The inmate will be allowed a shower/change of clothes.
	<u>At Least 9:00 Prior to Execution</u> Associate Warden or other persons authorized in the Controlled Substance Disposition Procedures will transport the lethal injection chemicals directly to the CPF Medical Room.	
<u>At Least 1:15 Prior to Execution</u> 1. An Execution Team member will supervise the shaving of the inmate's head with electric clippers and a safety razor, the shaving of the right leg of inmate from the knee to ankle, and the showering of the inmate. 2. The Electricians will report to Execution Chamber for electrical preparation.	<u>At Least 1:15 Prior to Execution</u> EMT/PA will mix lethal injection chemical according to Controlled Substance Disposition Procedures and carry chemical and supplies to the Executioner's room.	<u>At Least 1:15 Prior to Execution</u> 1. Phone in Execution Chamber will be checked by the Warden/designee and Intercom turned on. 2. The inmate will be asked if s/he desires an injection of Valium. If the inmate requests the Valium, a 10 milligram intramuscular injection will be administered.
<u>At Least :45 Prior to Execution</u> 1. Execution Team will report to CPF and final check will be made of equipment and associated paraphernalia. 2. After showering, the inmate will be returned to his/her cell in the CPF and given clean clothes, which have the right trouser leg cut off at the knee.	<u>At Least :30 Prior to Execution</u> Execution Team will report to CPF and final check will be made of equipment and associated paraphernalia.	

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
EXECUTION SCHEDULE**

ATTACHMENT #1

EXECUTION DAY		
ELECTROCUTION	LETHAL INJECTION	BOTH METHODS MUST PROCESS
		<u>At Least :15 Prior to Execution</u> 1. Witness Room curtain remains closed. 2. Witnesses enter the Witness Room.
<u>At Least :10 Prior to Execution</u> 1. The Execution Team will enter the inmate's cell and the inmate will be restrained. 2. The inmate will be escorted to the Execution Chamber and restrained in the chair. 3. An Execution Team Member will apply conducting gel to the calf of the inmate's right leg and the crown of the inmate's head. 4. Copper anklet and electrodes will be attached to the right leg by the Electrician. 5. The Electrician will place the copper headpiece and sponge on the condemned inmate's head and secure them. 6. Electrodes will be attached to the headpiece by the Electrician. 7. The Witness Room Curtain will be opened. 8. The Electrician will place head restraint and hood over the inmate's head. 9. The Electrician will move to the equipment room and engage the circuit breaker.	<u>At Least: 10 Prior to Execution</u> 1. The Execution Team will enter the inmate's cell and the inmate will be restrained. 2. The inmate will be escorted to the preparation room and restrained to the table. 3. The inmate will be moved from the preparation room to the Execution Chamber and additional restraints will be applied and adjusted for the execution process. 4. Once the EMT/PA's have completed the IV and heart monitor setup and returned to the Executioner's Room, the Execution Team members will move to the rear of the back curtain and will remain on standby. The Warden will order the Witness Room window curtain to be opened by a designated team member.	

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
EXECUTION SCHEDULE**

ATTACHMENT #1

EXECUTION DAY (Continued)		
ELECTROCUTION	LETHAL INJECTION	BOTH METHODS MUST PROCESS
<p><u>Time of Scheduled Execution</u></p> <ol style="list-style-type: none"> Upon confirmation from the electricians that the circuit breaker has been engaged, the Warden will give the signal to the executioners to engage switches and the automatic cycle will begin. Once the cycle runs its course, the Electrician will indicate the machine is off and disengage the manual circuit breaker in the equipment room. The Electrician will then enter the Execution Chamber, disconnect the electrodes from the inmate, and inform the Warden that it is safe for the EMT to examine the inmate. 	<p><u>Time of Scheduled Execution</u></p> <ol style="list-style-type: none"> The designated Executioners will begin the rapid flow of lethal chemicals in the following order: <ol style="list-style-type: none"> Pentothal (Thiopental) 2 grams (GM); Pavulon (Pancurium Bromide) 50 milligrams (MG); Potassium Chloride/150 milliequivalents (MEQ). The designated team member keeping time will start a stopwatch once the lethal chemicals have been injected. If the heart monitor does not indicate a flat line reading within ten (10) minutes, then a second set of lethal chemicals will be administered (Pavulon and Potassium Chloride only). The timekeeper will restart the stopwatch after the second set of chemicals are administered. This process will continue until the physician determines that death has occurred. The team members designated to administer chemicals will remain in place until death has been determined and the front curtain is closed. The EMT/PA will observe the heart monitor and signal the physician indicating a flat line reading. 	<p><u>Time of Scheduled Execution</u></p> <ol style="list-style-type: none"> If there is a final statement, the Warden will turn on the intercom and the inmate's attorney of record will read the final statement to the official witnesses. The Warden will make a final check with the Director for any stays or commutations. If there are no stays or commutations, the Warden will signal that the execution will proceed.

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
EXECUTION SCHEDULE**

ATTACHMENT #1

EXECUTION DAY (Continued)		
ELECTROCUTION	LETHAL INJECTION	BOTH METHODS MUST PROCESS
		<ol style="list-style-type: none">1. The physician will determine that death has occurred and will advise the Warden. The Warden will announce the time of death.2. The Warden will advise that the sentence of the Court has been carried out, and he will ask the witnesses to exit the Witness Room and sign the Execution Certificate in the Witness Waiting Room.3. The inmate's body will be removed from the chair (for electrocution) or from the execution gurney (for lethal injection) and will be placed on the funeral home gurney.4. The Warden and the attending Physician will sign the Execution Certificate.

RESTRICTED

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

MEMORANDUM

TO: See Distribution List

FROM: Mr. Gary D. Maynard, Director

SUBJECT: Change 1 to SK-22.03, "Execution Directives," dated May 1, 2002

DATE: September 6, 2002

This change is effective immediately.

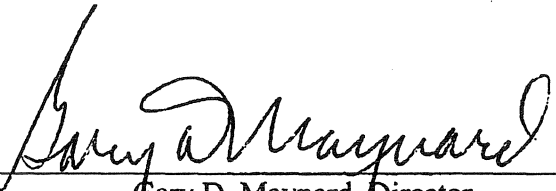
Page 2 and 3, Paragraph 4.2., is amended as follows:

4.2 Prior to the inmate being moved to the CPF, his/her personal property will be inventoried, recorded, and secured in the Lieber or Women's Correctional Institution Property Control Room for disposition in accordance with the inmate's written instructions. *In addition, a body cavity search will be conducted by medical personnel.* A packet containing the original copies of all documents *completed/written* by the inmate since receipt of the Execution Order, i.e., funeral arrangement documents, property disposition forms, etc., will be hand-carried to the Warden, BRCI. The inmate will be taken to the BRCI Identification Section by a BRCI Associate Warden, Major, or Captain and at least two (2) assistants, one (1) of whom will be of the same sex as the inmate. At that time, the inmate will be photographed and fingerprinted, and a positive identification will be made. The inmate will then receive a physical examination, and a body cavity search will be conducted by medical personnel. The inmate will be briefed by the Warden on procedures while in the CPF. *The inmate's* legal counsel may be present during these proceedings if requested by the inmate. An attorney from the SCDC Office of General Counsel will read the execution order to the inmate after arrival at the CPF prior to the execution.

Policy Holders should make the above changes to the policy/procedure and place this memo immediately in front of SCDC Policy/Procedure SK-22.03.

Questions regarding this change should be directed to the Institutional Division Director III.

S/


Gary D. Maynard, Director

RESTRICTED

RESTRICTED

**Page 2, Change 1 to SK-22.03
September 6, 2002**

Distribution:

General Counsel's Office, Office of the Governor
Director (1)
Chief of Staff (1)
Institutional Division III (1)
Institutional Division IV (1)
General Counsel (1)
Warden, Broad River Correctional Institution (2)
Warden, Lieber Correctional Institution (2)
Director for Administration (1)
Director for Health Services (1)
Director for Program Services (1)
Inspector General (1)
Investigations (1)
Division Director of Communications and Public Affairs (1)
Division Director of Victims Services (1)
Division Director of Security (1)
Division Director of Resource Information Management (1)
Division Director of Construction and Maintenance (1)
Division Director of Transportation (1)
Chief, Pastoral Services Branch (1)

RESTRICTED

Luke A. Williams, III,
 SCDC #SK-4874,

 Plaintiff,

 v.

 Jon Ozmint, Director, South Carolina
 Department of Corrections, in his
 Individual and official capacities,

 Defendants.

Civil Action No. 3:08-00655-CMC

AFFIDAVIT OF ROBERT E. WARD

3. The execution procedures and protocol are set forth in SCDC Policy No. SK-22.03 entitled "Execution Procedures." The sections of SCDC Policy No. SK-22.03 that address

the training, procedures and protocols adopted for carrying out an execution by lethal injection are Sections 15, 16, and 17 and Attachment #1. A true and accurate copy of Sections 15, 16, and 17 of SCDC Policy No. SK-22.03 and Attachment #1 are attached hereto as Exhibit A.

4. The execution procedures and protocol as set forth in SCDC Policy No. SK-22.03 will be utilized to carry out the execution by lethal injection of Luke A. Williams, III, which has been scheduled by the South Carolina Supreme Court to take place on February 20, 2009.

5. As required by S.C. Code Ann. § 24-3-530(A), Luke A. Williams, III has made an election to be executed by lethal injection. A true and accurate copy of Inmate Williams' election is attached hereto as Exhibit B.

6. The Execution Team for the execution of Luke A. Williams, III will include the Warden of Broad River Correctional Institution and several SCDC employees, two of whom will serve the role of executioner. The qualifications and training background, including prior experience in carrying out executions, are set forth below. As permitted by the Court and to protect the identities of the persons involved in the execution process for safety and security reasons, the names of the individuals are not listed.

A. Executioners

Executioner #1

- * Associates Degree in Criminal Justice
- * Worked in corrections in excess of 25 years
- * Worked at SCDC in excess of 25 years
- * Holds management level position at SCDC
- * Training in carrying out executions:
two training sessions and eight walk throughs
- * Participated in 9 prior executions by lethal injection
and 2 prior executions by electrocution

Executioner #2

- * Bachelors Degree

- * Worked in corrections in excess of 20 years
- * Worked at SCDC in excess of 20 years
- * Holds management level position at SCDC
- * Training in carrying out executions:
30 walk throughs
- * Participated in 23 prior executions by lethal injection
and 1 prior execution by electrocution

B. Warden

- * Bachelors Degree
- * Worked in corrections in excess of 25 years
- * Worked at SCDC in excess of 25 years
- * Holds management level position at SCDC
- * Training in carrying out executions:
17 training sessions including 51 walk throughs
- * Participated in 3 prior executions by lethal injection
and 1 prior execution by electrocution

C. Team Members

Participant #1

- * Bachelors Degree
- * Worked in corrections in excess of 10 years
- * Worked at SCDC in excess of 10 years
- * Holds management level position at SCDC
- * Training in carrying out executions:
3 training sessions including 9 walk throughs
- * Participated in 1 prior execution by lethal injection

Participant #2

- * Bachelors Degree
- * Worked in corrections in excess of 15 years
- * Worked at SCDC in excess of 15 years
- * Holds management level position at SCDC
- * Training in carrying out executions:
17 training sessions including 51 walk throughs
- * Participated in 3 prior executions by lethal injection
and 1 prior execution by electrocution

Participant #3

- * Worked in corrections in excess of 20 years
- * Worked at SCDC in excess of 20 years

- * Holds supervisory level position at SCDC
- * Training in carrying out executions:
10 training sessions including 30 walk throughs
- * Participated in 2 prior executions by lethal injection
and 1 prior execution by electrocution

Participant #4

- * Bachelors Degree
- * Worked in corrections in excess of 25 years
- * Worked at SCDC in excess of 25 years
- * Holds supervisory level position at SCDC
- * Training in carrying out executions:
48 training sessions including 144 walk throughs
- * Participated in 12 prior executions by lethal injection
and 2 prior executions by electrocution

Participant #5

- * Bachelors Degree
- * Worked in corrections in excess of 5 years
- * Worked at SCDC in excess of 5 years
- * Holds supervisory level position at SCDC
- * Training in carrying out executions:
21 training sessions including 63 walk throughs
- * Participated in 4 prior executions by lethal injection
and 1 prior execution by electrocution

Participant #6

- * Worked in corrections in excess of 20 years
- * Worked at SCDC in excess of 20 years
- * Holds management level position at SCDC
- * Training in carrying out executions:
17 training sessions including 51 walk throughs
- * Participated in 3 prior executions by lethal injection
and 1 prior execution by electrocution

Participant #7

- * Bachelors Degree
- * Worked in corrections in excess of 15 years
- * Worked at SCDC in excess of 15 years
- * Holds supervisory level position at SCDC
- * Training in carrying out executions:
10 training sessions including 30 walk throughs

- * Participated in 2 prior executions by lethal injection and 1 prior execution by electrocution

Participant #8

- * Worked in corrections in excess of 10 years
- * Worked at SCDC in excess of 10 years
- * Holds supervisory level position at SCDC
- * Training in carrying out executions:
17 training sessions including 51 walk throughs
- * Participated in 3 prior executions by lethal injection and 1 prior execution by electrocution

Participant #9

- * Associates Degree
- * Worked in corrections in excess of 25 years
- * Worked at SCDC in excess of 25 years
- * Holds management level position at SCDC
- * Training in carrying out executions:
approximately 150 training sessions
- * Participated in 27 prior executions by lethal injection and 5 prior executions by electrocution

Participant #10

- * Worked in corrections in excess of 10 years
- * Worked at SCDC in excess of 10 years
- * Holds supervisory level position at SCDC
- * Training in carrying out executions:
10 training sessions including 30 walk throughs
- * Participated in 2 prior executions by lethal injection and 1 prior execution by electrocution

Participant #11

- * Bachelors Degree
- * Worked in corrections in excess of 10 years
- * Worked at SCDC in excess of 10 years
- * Holds supervisory level position at SCDC
- * Training in carrying out executions:
10 training sessions including 30 walk throughs
- * Participated in 2 prior executions by lethal injection and 1 prior execution by electrocution

Participant #12

- * Worked in corrections in excess of 20 years
- * Worked at SCDC in excess of 20 years
- * Holds supervisory level position at SCDC
- * Training in carrying out executions:
45 training sessions including 133 walk throughs
- * Participated in 11 prior executions by lethal injection
and 2 prior executions by electrocution

7. The Execution Team also includes medical personnel who are not SCDC employees. The Execution Team for the execution of Luke A. Williams, III will include a physician and two medical technicians, whose qualifications and training background, including prior experience in carrying out executions, are set forth below. The below information includes three medical technicians. The individual identified as Med Tech #1 participates in each execution by lethal injection. Either Med Tech #2 or Med Tech #3 will also participate in the execution of Inmate Williams. As permitted by the Court and to protect the identities of the persons involved in the execution process for safety and security reasons, the names of the individuals are not listed. If I were required to disclose the identities of these persons, I feel certain that they would no longer agree to assist the State with any future executions, and as a result, I would not have these experienced persons at my disposal. In addition, I believe that it will be very difficult to find medical personnel as substitutes for these individuals.

A. Physician

- * Graduate of Medical School
- * Practicing medicine in excess of 10 years
- * Licensed to practice medicine in South Carolina
- * Board certified in Emergency Medicine
- * Participated in five prior executions by lethal injection

B. EMT/Med Tech

Med Tech #1

- * Associates Degree
- * Certified Paramedic
- * Worked as EMT or Paramedic for in excess of 20 years
- * Experience siting/inserting IV lines in excess of 20 years
- * Participated in 32 prior executions by lethal injection

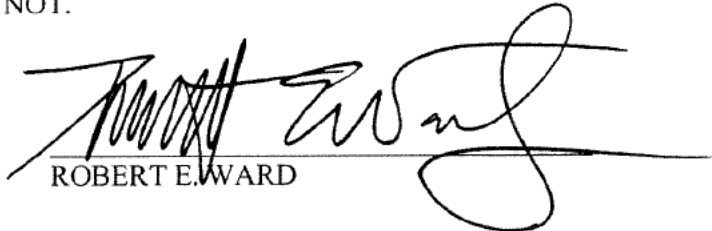
Med Tech #2

- * Associates Degree
- * Certified Paramedic
- * Worked as EMT or Paramedic for in excess of 10 years
- * Experience siting/inserting IV lines in excess of 10 years
- * Participated in 9 prior executions by lethal injection

Med Tech #3

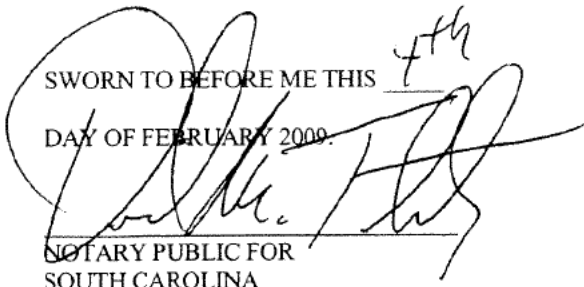
- * Certified Paramedic
- * Worked as EMT or Paramedic for in excess of 10 years
- * Experience siting/inserting IV lines in excess of 10 years
- * Participated in 2 prior executions by lethal injection

FURTHER, AFFIANT SAYETH NOT.


ROBERT E. WARD

SWORN TO BEFORE ME THIS 7th

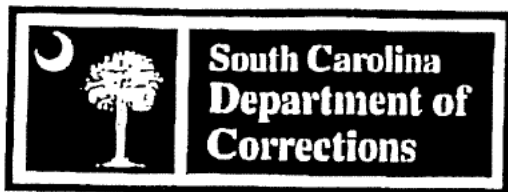
DAY OF FEBRUARY 2009.


NOTARY PUBLIC FOR
SOUTH CAROLINA

COMMISSION EXPIRES:

July 4 2013

Exhibit A



SK-22.03
Page 1

NUMBER: SK-22.03

TITLE: EXECUTION PROCEDURES

ISSUE DATE: June 1, 2008

RESPONSIBLE AUTHORITY: DIVISION OF OPERATIONS

OPERATIONS MANUAL: OPERATIONS

SUPERSEDES: SK-22.03 (May 1, 2002)

RELEVANT SCDC FORMS/SUPPLIES: NONE

ACA/CAC STANDARDS: NONE

STATE/FEDERAL STATUTES: Sections 24-3-510; 24-3-520; 24-3-530; 24-3-540; 24-3-550; 24-3-560; and 24-3-570, S.C. Code of Laws, 1976, as amended

PURPOSE: To provide general guidelines for the development of procedures to be followed prior to, during, and subsequent to an execution and from which more detailed and specific operational directives can be developed.

POLICY STATEMENT: As required by state law, the South Carolina Department of Corrections will conduct in a responsible, secure, and humane manner, the execution of inmates condemned to death. The South Carolina Department of Corrections will ensure the safety and security of the public and will have the absolute responsibility of providing for the security of those individuals awaiting execution.

Note: The Division Director of Operations may authorize a designee to carry out any of the duties and responsibilities assigned by this policy/procedure.

15. TRAINING AND PREPARATION FOR EXECUTION: It will be the responsibility of the Warden, BRCI, to train and prepare all SCDC Employees who participate in the actual carrying out of the death sentence. The number of training or practice sessions shall be set and scheduled by the Warden. Training sessions are not open to the news media or to any other persons not involved in carrying out the execution.

For executions by lethal injection, the Warden shall schedule a minimum of one training session during the week of a scheduled execution during which Execution Team members shall conduct a minimum of two mock executions following the protocol set forth in Attachment #1. At his/her discretion, the Warden may direct that additional training sessions be held during the week of a scheduled execution.

The Warden shall ensure at least one training session (including two mock executions) are conducted by the Execution Team each quarter (regardless of whether an execution takes place during that quarter), thereby ensuring that a minimum of four training sessions (and eight mock executions) are conducted annually.

On the date of a scheduled execution, the designated Executioners shall be given instruction by the EMT/PA's as to the proper use of the syringes used for administering the chemicals to ensure the proper flow and correct sequence of the chemicals is administered.

16. HEALTH SERVICES RESPONSIBILITIES:

16.1 Arranging for autopsy and notifying the coroner of pending execution;

16.2 Preparing the body removal permit;

16.3 Ensuring that the inmate's medical record is current and is prepared to accompany the body to the coroner's office;

16.4 Conducting a medical exam and body cavity search prior to the execution; and

16.5 At least seven (7) days prior to the inmate's arrival to BRCI, reviewing the medical record for possible history of drug abuse and conducting a physical examination to ascertain the condition of the inmate's veins at all potential IV sites; and advising the Warden of any abnormalities immediately and ensuring that the attending surgeon is briefed.

17. CARRYING OUT OF EXECUTION:

SK-22.03

Page 9

17.1 The hour the actual execution is to be carried out will be determined by the Agency Director.

17.2 If there is potential for disruption during the execution process by any witness or participant, the Warden may deny access to the individual(s). Should a disruption occur during the procedures, the responsible individual(s) may be removed.

17.3 The following individuals will be present in the CPF when the execution is carried out:

Physician	one (1)
Executioners	three (3) (if by electrocution), or two (2) (if by lethal injection)
*EMT or Physician's Assistant	two (2) (if by lethal injection), or none (if by electrocution)
Electricians	two (2) (one [1] of whom is an alternate) if execution is by electrocution
Warden	one (1)
Assistants to Warden	at least five (5) at the discretion of the Warden
**Religious Leader	one (1) (if requested by the condemned inmate)
**Attorney	one (1) (if requested by the condemned inmate)
Witnesses	ten (10) (as described in Procedure 9.1.1 through 9.1.6, above)
Official Non-SCDC Observer (Appointed by the Agency Director)	one (1)

* EMT/PA's shall be certified in their profession and shall have been certified for a minimum of one year. EMT/PA's shall possess experience in siting and inserting IV lines. At least one of the EMT/PA's will have participated in a prior execution.

(The attorney must be an Attorney of Record or Legal Counsel approved by the Warden and requested by the inmate or Attorney of Record. However, the inmate may substitute one person from his immediate family for either his counsel or religious leader, or two persons from his immediate family for both his counsel and religious leader. For purposes of this item, 'immediate family' means those persons eighteen years of age or older who are related to the *inmate*** by blood, adoption, or marriage. Questions about whether or not a proposed substitute is an immediate family member should

SK-22.03
Page 10

be addressed to the Office of General Counsel.)

The above individuals will arrive at the CPF at a time prescribed by the Warden.

17.4 Every effort will be made to limit the number of individuals at the CPF consistent with security needs.

17.5 All official witnesses, including news media representatives, will be escorted to the CPF prior to the time of the scheduled execution.

17.6 The actual execution will be carried out as prescribed by specific procedures developed to supplement these procedures and included as Attachment #1. The procedures outlined in Attachment #1 will be approved by the ***Division Director of Operations*** and by the Agency Director prior to being authorized for implementation. The Agency Director or an approved designee will be responsible for determining the SCDC officials who will be provided copies of the same.

17.7 If the method of death elected is lethal injection, the South Carolina Department of Corrections will comply with all state and federal requirements and statutes regarding the registration, dispensing, distribution, transportation, and administration of all controlled substances and equipment.

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
EXECUTION SCHEDULE**

ATTACHMENT #1

EXECUTION DAY		
ELECTROCUTION	LETHAL INJECTION	BOTH METHODS MUST PROCESS
		<ol style="list-style-type: none"> 1. Phones will be checked. 2. Training drill for all personnel involved will be held if directed by the Warden. 3. Last meal will be ordered and will be served. 4. The inmate will be allowed a shower/change of clothes.
	<p><u>At Least 9:00 Prior to Execution</u> Associate Warden or other persons authorized in the Controlled Substance Disposition Procedures will transport the lethal injection chemicals directly to the CPF Medical Room.</p>	
	<p><u>At Least 1:15 Prior to Execution</u> EMT/PA will mix lethal injection chemical according to manufacturers requirements and carry chemical and supplies to the Executioner's room.</p>	<p><u>At Least 1:15 Prior to Execution</u></p> <ol style="list-style-type: none"> 1. Phone in Execution Chamber will be checked by the Warden/designee and Intercom turned on. 2. The inmate will be asked if s/he desires an injection of Ativan. If the inmate requests the Ativan, a 2 milligram intramuscular injection will be administered.
	<p><u>At Least :40 Prior to Execution</u></p> <ol style="list-style-type: none"> 1. Execution Team will report to CPF and final check will be made of equipment and associated paraphernalia. 	

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
EXECUTION SCHEDULE**

ATTACHMENT #1

EXECUTION DAY		
ELECTROCUTION	LETHAL INJECTION	BOTH METHODS MUST PROCESS
		At Least :15 Prior to Execution 1. Witness Room curtain remains closed. 2. Witnesses enter the Witness Room.
	2. The Execution Team will enter the inmate's cell and the inmate will be restrained. 3. The inmate will be escorted to the preparation room and restrained to the table. 4. The inmate will be moved from the preparation room to the Execution Chamber and additional restraints will be applied and adjusted for the execution process. At Least :15 Prior to Execution 1. The EMT/PA's will enter the Execution Chamber and run the IV lines to the inmate, site and insert one primary IV line and one secondary or back-up IV line in locations deemed appropriate by the EMT/PA's 2. The EMT/PA's shall connect the electrodes of the heart monitor to the inmate and ensure that the monitor is functioning properly. 3. A saline drip shall be started and observed by the EMT/PA's to ensure that the IV lines are functioning properly. 4. After the EMT/PA's have completed the IV and heart monitor setup and have returned to the Executioner's Room, the Execution Team members will exit the Execution Chamber and remain on standby. 5. The Warden will order the Witness Room	

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
EXECUTION SCHEDULE**

ATTACHMENT #1

EXECUTION DAY	
	<p>window curtain to be opened by a designated team member.</p>

EXECUTION DAY (Continued)		
ELECTROCUTION	LETHAL INJECTION	BOTH METHODS MUST PROCESS
<p><u>Time of Scheduled Execution</u></p> <p>1. The inmate shall be injected with the following sequence of chemicals:</p> <p>a. Pentothal (Thiopental) 3 grams (gm);</p> <p>b. Saline: 25 milligrams (mg)</p> <p>c. Pavulon (Pancuronium Bromide): 50 milligrams (mg)</p> <p>d. Saline: 25 milligrams (mg)</p> <p>e. Potassium Chloride: 240 milliequivalents (meq)</p> <p>f. Saline: 25 milligrams (mg)</p> <p>2. Two sets of the chemicals set forth in item #1 above shall be prepared and immediately available to the Executioners for use.</p> <p>3. At the direction of the Warden, the designated Executioners will begin the rapid flow of the chemicals set forth in item #1 in the stated sequence. The designated Executioners shall pause for a period of at least 90 seconds after</p>		
<p><u>Time of Scheduled Execution</u></p> <p>1. If there is a final statement, the Warden will turn on the intercom and the inmate's attorney of record will read the final statement to the official witnesses.</p> <p>2. The Warden will make a final check with the Director for any stays or commutations.</p> <p>3. If there are no stays or commutations, the Warden will signal that the execution will proceed.</p>		

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
EXECUTION SCHEDULE**

ATTACHMENT #1

EXECUTION DAY (Continued)	
	<p>administration of the Pentothal(Thiopental) before administering the Pavulon(Pancuronium Bromide). If it appears to the Warden that the inmate is not unconscious within 90 seconds after administration of the Pentothal(Thiopental), the Warden shall order that the secondary or back-up line be used to administer a second 3 gram dose of Pentothal (Thiopental) before the remaining sequence of chemicals is administered. If a second dose of Pentothal(Thiopental) is administered, the designated Executioners shall pause for a period of at least 60 seconds before administering the Pavulon(Pancuronium Bromide).</p> <p>4. During the administration of the chemicals, the Warden located within the Execution Chamber shall closely monitor the inmate for signs of any problems with the IV lines and for failure of the inmate to lose consciousness. If the Warden observes any problems with the primary IV line, he shall direct that the chemicals be administered using the secondary or back-up line.</p> <p>5. The designated team member keeping time will start a stopwatch once the chemicals have been injected. If the heart monitor does not indicate a flat line reading within ten (10) minutes, then a second set of chemicals shall be administered in the same sequence as set forth in item #1 above. The timekeeper will restart the stopwatch after the second set of chemicals are administered. This process will continue until the physician determines that death has occurred. The Warden may in his discretion order that the second set of chemicals be administered earlier than the ten minute mark.</p> <p>6. The EMT/PA's shall observe the administration of the chemicals by the Executioners to ensure</p>

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
EXECUTION SCHEDULE**

ATTACHMENT #1

EXECUTION DAY (Continued)	
	<p>that the chemicals are properly administered in the correct sequence and at the proper rate of flow and to ensure that the IV lines are properly functioning. Throughout the process, the EMT/PA's shall also observe the heart monitor and advise the physician when there is a flat line.</p> <p>7. The Execution Team members designated to administer the chemicals will remain in place until death has been determined and the witness curtain has been closed.</p>

EXECUTION DAY (Continued)	
ELECTROCUTION	LETHAL INJECTION
	<p>BOTH METHODS MUST PROCESS</p> <ol style="list-style-type: none"> 1. The physician will determine that death has occurred and will advise the Warden. The Warden will announce the time of death. 2. The Warden will advise that the sentence of the Court has been carried out, and he will ask the witnesses to exit the Witness Room and sign the Execution Certificate in the Witness Waiting Room. 3. The inmate's body will be removed from the chair (for electrocution) or from the execution gurney (for lethal injection) and will be placed on the funeral home gurney. 4. The Warden and the attending Physician will sign the Execution Certificate.

Exhibit B

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STATE OF SOUTH CAROLINA)
COUNTY OF DORCHESTER)

NOTICE OF ELECTION

OPERATIONS

I, Luke A. Williams, III, SK4874, pursuant to Section 24-3-530, South Carolina Code of Laws, 1976 as amended, hereby elect lethal injection as the method for execution.

s/ Luke A. Williams III
Luke A. Williams, III, SK4874Dated: 1/26/09

WITNESSES:

[Signature]
Mitchell Bodner